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417 SOUTH KING STREET, ROOM 206C • ALI'ĪOLANI HALE • HONOLULU, HAWAII 96813-2902

TELEPHONE (808) 539-4909 • FAX (808) 539-4801 • [www.courts.state.hi.us](http://www.courts.state.hi.us)

**Michael F. Broderick**  
ADMINISTRATIVE DIRECTOR

**Walter M. Ozawa**  
DEPUTY ADMINISTRATIVE DIRECTOR

**Susan Pang Gochros**  
DIVISION CHIEF, INTERGOVERNMENTAL  
AND COMMUNITY RELATIONS DIVISION

**Marsha E. Kitagawa**  
PUBLIC AFFAIRS DIRECTOR

## NEWS RELEASE

Contact:  
Marsha Kitagawa (808) 539-4909

For Media Release:  
November 21, 2002

### **Comment Wanted on HSBA's Proposed Amendment to Supreme Court Rules**

The Supreme Court of Hawai'i seeks public comment about the Hawai'i State Bar Association's proposal to amend Rules 16.2 and 17 of the Rules of the Supreme Court of the State of Hawai'i, concerning Attorneys and Judges Assistance Program budgeting and fees.

The proposals for the Attorneys and Judges Assistance Program will require budget and fee provisions like those that govern the review and approval of budgets and the assessment of fees for the Disciplinary Board, the Lawyers' Fund, and the Board of Examiners. See attached proposed amendments.

### **Proposed Amendments to the Rules of the Supreme Court of the State of Hawai'i**

(deleted material is bracketed in bold, new material is underlined):

1. Rule 16.2 of the Rules of the Supreme Court of the State of Hawai'i is amended as follows:

#### **Rule 16.2. Attorneys and Judges Assistance Program Board.**

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(d) The Board shall exercise the powers and perform the duties conferred and imposed upon it by these rules, including the power and duty:

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(4) To receive from the Bar the fees collected under Rule 17(d)(2)(iv); to prepare and maintain appropriate accounting records showing the receipt and disposition of those funds, which records shall be subject to audit; and to prepare an annual budget for the expenditure of those funds[.]; to develop appropriate financial policies for managing all of the funds received by the Board; and to propose an annual fee as follows:

(i) submit, no later than October 1 each year, the developed budget, financial policies, and fee structure to the Hawai'i State Bar to allow an opportunity for meaningful review, analysis, input, and comment by the Hawai'i State Bar prior to submission to the supreme court;

(ii) to receive written comments, if any, from the Hawai'i State Bar regarding the budget, financial policies, and fee structure;

(iii) to reply in a timely fashion in writing to any written comments from the Hawai'i State Bar regarding section (ii), provided the comments were received no later than November 1; and

(iv) to submit, no later than November 15 of each year, the budget financial policies, and annual fee along with any and all written comments received from the Hawai'i State Bar, and any replies thereto, to the supreme court for its review and approval.

2. Rule 17(d) of the Rules of the Supreme Court of the State of Hawai'i is amended as follows:

**RULE 17. THE HAWAII STATE BAR**

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**(d) Member Registration, Assessment, Suspension and Status.**

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(2) *Dues, Fees and Charges.* Each member shall pay to the Bar the following dues, fees, or charges:

(i) Hawai'i State Bar Dues. Annual dues as determined by the Board of Directors of the Bar.

(ii) Disciplinary Board Fee. The annual fee, determined in accordance with Rule 2.4(e)(7), shall be paid over by the Bar at least quarterly to the Disciplinary Board.

(iii) Lawyers' Fund for Client Protection Fee. The fee, determined in accordance with Rule 10.4(l), shall be paid over by the Bar at least quarterly to the Fund.

(iv) Attorneys and Judges Assistance Program Fee. [This is a flat annual fee. The Bar shall remit the proceeds of said fee to the AAP Board at least annually.] The annual fee, determined in accordance with Rule 16.2(d)(4) shall be paid over by the Bar at least quarterly.

Comments about the proposed amendments to Rules 16.2 and 17 should be submitted in writing no later than February 18, 2003 to the Judiciary Public Affairs Office, 417 South King Street, Honolulu, Hawai'i 96813.

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